

**IN THE CLAIMS**

1. (Currently Amended) An article for delivering a drug and a nucleic acid, the article comprising:

a nanoparticle forming a micelle, wherein the nanoparticle comprises a polymer having a Polyester backbone comprising a polyester;

a nucleic acid associated with an exterior of the micelle; and

a drug associated with an interior of the micelle.

2. (Canceled)

3. (Previously Presented) The article of claim 1 wherein the nanoparticle is capable of passing through a cell membrane.

4. (Previously Presented) The article of claim 1 wherein the nucleic acid is DNA.

5. (Previously Presented) The article of claim 1 wherein the drug is a cancer drug.

6-7. (Canceled)

8. (Previously Presented) The article of claim 1 wherein the nanoparticle is stable at a concentration of greater than 5 mg/L.

9. (Previously Presented) The article of claim 1 wherein the nanoparticle is capable of crossing the blood/brain barrier.

10. (Previously Presented) A composition comprising the article of claim 1 and a pharmaceutically acceptable carrier.

11. (Previously Presented) The article of claim 1 wherein the backbone comprises tertiary amines.

12. (Previously Presented) The article of claim 15 wherein the hydrophobic side chain comprises cholesterol.

13. (Previously Presented) The article of claim 11 wherein the backbone comprises a copolymer of quaternized and non-quaternized tertiary ammonium groups.

14. (Previously Presented) The article of claim 1 wherein the backbone further comprises an ether linkage.

15. (Previously Presented) The article of claim 11 wherein at least a portion of the tertiary amines are quaternized and bound to a hydrophobic side chain.

16. (Previously Presented) The article of claim 1 wherein the backbone further comprises a polyether.

17-43. (Canceled)

44. (Currently Amended) A kit comprising:

a container including an amphoteric polymeric nanoparticle forming a micelle, wherein the polymeric nanoparticle comprises a polymer having a Polyester backbone ~~comprising a polyester;~~  
a nucleic acid associated with an exterior of the micelle;  
a drug associated with an interior of the micelle; and  
instructions for administering the nanoparticle to a subject.

45-48. (Canceled)

49. (Previously Presented) The kit of claim 44, wherein the backbone comprises a graft co-polymer.

50. (Previously Presented) The article of claim 1, wherein the backbone comprises an amphiphilic co-polymer.

51. (Previously Presented) The article of claim 50, wherein the amphiphilic co-polymer is a cationic amphiphilic co-polymer.

52. (Previously Presented) The article of claim 1 wherein the drug is not covalently or ionically bound to the nanoparticle.

53. (Previously Presented) The article of claim 1 wherein the drug is physically contained by the nanoparticle.

54. (Previously Presented) The article of claim 1, wherein the backbone comprises a graft co-polymer.